

a cosponsor of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 576

At the request of Mr. DODD, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 576, a bill to provide for the effective prosecution of terrorists and guarantee due process rights.

S. 582

At the request of Mr. SMITH, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 582, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 597

At the request of Mrs. FEINSTEIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 597, a bill to extend the special postage stamp for breast cancer research for 2 years.

S. 604

At the request of Mr. LAUTENBERG, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 604, a bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes.

S. 638

At the request of Mr. ROBERTS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 638, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 656

At the request of Mr. REED, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 673

At the request of Mr. SALAZAR, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 673, a bill to amend the Internal Revenue Code of 1986 to provide credits for the installation of wind energy property, including by rural homeowners, farmers, ranchers, and small businesses, and for other purposes.

S. 682

At the request of Mr. KENNEDY, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from New Hampshire (Mr. SUNUNU), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Texas

(Mrs. HUTCHISON), the Senator from Utah (Mr. HATCH), the Senator from North Dakota (Mr. CONRAD), the Senator from Connecticut (Mr. DODD) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 682, a bill to award a congressional gold medal to Edward William Brooke III in recognition of his unprecedented and enduring service to our Nation.

S. 756

At the request of Mr. DODD, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 756, a bill to authorize appropriations for the Department of Defense to address the equipment reset and other equipment needs of the National Guard, and for other purposes.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 831

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 831, a bill to authorize States and local governments to prohibit the investment of State assets in any company that has a qualifying business relationship with Sudan.

S. 871

At the request of Mr. LIEBERMAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 871, a bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes.

S. 883

At the request of Mrs. FEINSTEIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 883, a bill to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers.

S. 888

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 888, a bill to amend section 1091 of title 18, United States Code, to allow the prosecution of genocide in appropriate circumstances.

S. 903

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 903, a bill to award a Congressional Gold Medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 914

At the request of Mr. VOINOVICH, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor

of S. 914, a bill to authorize the States (and subdivisions thereof), the District of Columbia, territories, and possessions of the United States to provide certain tax incentives to any person for economic development purposes.

S. 959

At the request of Mrs. CLINTON, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 959, a bill to award a grant to enable Teach for America, Inc., to implement and expand its teaching program.

S. 969

At the request of Mr. DODD, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 969, a bill to amend the National Labor Relations Act to modify the definition of supervisor.

S. 980

At the request of Mrs. FEINSTEIN, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 980, a bill to amend the Controlled Substances Act to address online pharmacies.

S. CON. RES. 3

At the request of Mr. SALAZAR, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself and Mr. SANDERS):

S. 986. A bill to expand eligibility for Combat-Related Special Compensation paid by the uniformed services in order to permit certain additional retired members who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for that disability and Combat-Related Special Compensation by reason of that disability; to the Committee on Armed Services.

Mr. REID. Mr. President, before I introduce my legislation, The Combat Related Special Compensation Act of 2007, I would like to briefly talk about the unfair treatment and the deplorable health care conditions found at the Walter Reed Army Medical Center. I feel that the current situation there has some bearing on my legislation.

Walter Reed is one of the Army's best-known and premier medical facilities for wounded service members in the country. Numerous reports by the Government Accounting Office and transcripts of congressional testimony

indicate that many of our military facilities for wounded outpatients are in disarray. These facilities are plagued by mold, mice, stained carpets, and a system ill equipped to handle another generation of psychologically scarred veterans.

Nearly 4,000 outpatients are currently in the military's Medical Holding companies, which oversee the wounded. Soldiers and veterans across the country report bureaucratic neglect similar to Walter Reed's: untrained staff; misplaced paperwork; lost computer generated medical appointments; and long waits for consultations. These serious problems have resulted from bureaucratic red tape and substandard health care conditions. This situation is unacceptable. We have not fulfilled our covenant, nor have we kept our promise to take care of our troops.

Our dedicated service members took an oath to serve our Nation. We as policy makers have a moral obligation to take care of these dedicated service men and women that have shown heroic patriotism in Afghanistan and Iraq.

"As described in the Washington Post", It is not just a problem at Walter Reed: others describe depressing living conditions for outpatients at military bases throughout the country. Let me share with you the comments of a 70-year-old soldier, Mr. Oliva, who is worried about the military health care our wounded will receive. He described his own troubling experiences at the VA hospital in Livermore, CA.

"It is not just Walter Reed," Mr. Oliva states. "The VA hospitals are not good either except for the staff members who work so hard. It brings tears to my eyes when I see my brothers and sisters having to deal with these conditions."

Mr. Oliva is but one voice in a vast outpouring of emotion and anger about the treatment of wounded outpatients at Walter Reed. Stories of neglect and substandard care have flooded in from soldiers, their family members, veterans, doctors and nurses working inside the system. This is appalling and an embarrassment to our Nation.

I am particularly concerned that some of the highest ranking officials were aware of the problem for almost two years, but took no action to correct the situation. While we have seen some positive signs from the fallout over the scandal, such as the firing of the head of Walter Reed and the establishment of a bipartisan commission, more must be done.

Our soldiers receive first class care in combat, and they should receive the same level of care in our own country. Congress must lead the way in this effort. We must continue our efforts and pass legislation that will improve the quality of life for all of America's heroes, including providing them with the benefits they have earned.

Today, I join with many of my Senate colleagues to fight and end the ban

on current receipt so that disabled veterans can get the fair benefits they deserve. We have made some progress over the last few years, but as everyone knows, we still have a lot of work to do.

The legislation I am introducing today—the Combat-Related Special Compensation Act of 2007, would continue to chip away at this unfair policy, by giving pro-rated retirement benefits to our service men and women who are forced into early retirement because of their combat-related injuries.

Our veterans on a day-to-day basis sacrifice their life for our country. As public servants, we Americans owe it to our dedicated service men and women to end this inequity. We must support our troops; we must ensure that those who serve us with dignity and valor receive these deserving benefits. They have earned it and they deserve it.

My legislation will take care of soldiers who had hoped to make the military a career, but were discharged prematurely for an injury sustained in combat and forced to retire medically before attaining 20 years of service.

Like many of you, I have visited military hospitals on several occasions and have seen first hand the injuries sustained by our military personnel. Many of the members have reached the 10-, 12-, 14-year marks of their military careers and have been forced to retire medically before they meet the 20-year requirement to receive full benefits. Right now, these soldiers receive combat-related disability benefits, but are not eligible to receive retirement benefits because they cannot fulfill the 20-year service requirement.

This is a travesty to treat our dedicated service men and women inequitably. It's wrong.

We should not penalize veterans because they incurred a combat-related injury while serving their country. This legislation will ensure they will receive both their prorated military retirement pay, along with their disability compensation.

Let me point out that this legislation is especially important given the injuries sustained by these troops that are currently serving in Afghanistan, Iraq, and other theaters throughout the world. This legislation is essential for the more than 23,000 injured personnel who are returning from war. The widespread use of improvised explosive devices (IED) has created numerous amputees and therefore, result in an increase in medically discharged veterans. As described in stories reported by the Washington Post, a 25-year-old soldier got too close to an IED in Iraq and was sent to Walter Reed, where doctors did all they could before shipping the soldier to the VA for the remainder of his life. Will this young soldier be one of the victims of war that do not receive disability compensation and military retirement pay?

Mr. President, ensuring our veterans receive retirement benefits they have

earned is the right thing to do, especially in light of recent issues surrounding the treatment of patients at Walter Reed. We must never forget the sacrifices our service men and women have made to protect our freedom. They serve because they love this great country. Taking care of our veterans is not only the right thing to do; it is also important for our efforts to win the war on terror. In our all-volunteer military, it is critical to attract and retain professional and dedicated soldiers. In turn, they expect that we will honor our commitments to provide health care and other primary benefits for them and their families.

By ending this unfair policy, we now have an opportunity to show our gratitude to our veterans. If we are to truly honor the sacrifices of our veterans, we need to ensure that those who were injured in defense of our Nation receive these well deserved benefits.

While our Nation is at war, there is no better honor we could bestow upon them than to pass this legislation.

Mr. President, I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 986

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Combat-Related Special Compensation Act of 2007".

#### SEC. 2. EXPANSION OF COMBAT-RELATED SPECIAL COMPENSATION ELIGIBILITY FOR CHAPTER 61 MILITARY RETIREES.

(a) ELIGIBILITY.—Subsection (c) of section 1413a of title 10, United States Code, is amended by striking "entitled to retired pay who—" and all that follows and inserting "who—

"(1) is entitled to retired pay (other than by reason of section 12731b of this title); and  
"(2) has a combat-related disability."

(b) COMPUTATION.—Paragraph (3) of subsection (b) of such section is amended—

(1) by designating the text of that paragraph as subparagraph (A), realigning that text so as to be indented 4 ems from the left margin, and inserting before "In the case of" the following heading: "IN GENERAL.—"; and

(2) by adding at the end the following new subparagraph:

"(B) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—In the case of an eligible combat-related disabled uniformed services retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service, the amount of the payment under paragraph (1) for any month shall be reduced by the amount (if any) by which the amount of the member's retired pay under chapter 61 of this title exceeds the amount equal to 21½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member."

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2008, and shall apply to payments for months beginning on or after that date.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 987. A bill to enhance the energy security of the United States by promoting biofuels and for other purposes; to the Committee on Energy and Natural Resources.

Mr. President, I am very pleased to introduce the Biofuels for Energy Security and Transportation Act of 2007, along with my co-sponsor, Senator DOMENICI. This bipartisan bill will increase our use of home-grown biofuels and reduce our dependence on imported oil.

The bill establishes a new Renewable Fuel Standard. Starting in 2008, the new renewable fuel standard will require 8.5 billion gallons of renewable fuel. The standard increases gradually to 15 billion gallons per year by 2015. After 2015, a complementary “advanced biofuel” standard takes effect. This standard requires 3 billion gallons per year of advanced biofuels in 2016 and increases steadily to reach 21 billion gallons per year in 2022, for a total renewable fuel standard of 36 billion gallons per year in 2022.

The bill includes a number of provisions to expand the renewable transportation fuel infrastructure of the United States. A pilot program for renewable fuel corridors is created. Funding for biofuels research is increased, with new research centers established to include more of the country’s diverse biofuels feedstocks. To promote the growth of local biorefineries, a national biorefinery information center is established. Further toward that end, a competitive grant program is established to develop infrastructure to support local biorefineries.

Finally, the bill calls for a number of studies that will explore how we should move forward with biofuels. Studies include: the feasibility of nationwide ethanol blended gasoline at levels between 10 and 25 percent (E10 to E25); the feasibility of dedicated ethanol pipelines; optimization of flex fuels vehicles, which are currently optimized to run on gasoline, to run on E85; an assessment of the state of advanced biofuels technology, in advance of the advanced biofuel standard in 2015; and allowing for renewable fuel standard credit generation through plug in hybrids.

The introduction of this bill is the beginning of what I hope will be a substantive exploration of the comprehensive set of issues surrounding the role of biofuels in meeting our future energy security.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 987

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Biofuels for Energy Security and Transportation Act of 2007”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

#### TITLE I—RENEWABLE FUEL STANDARD

Sec. 101. Renewable fuel standard.

#### TITLE II—RENEWABLE FUELS INFRASTRUCTURE

Sec. 201. Infrastructure pilot program for renewable fuels.

Sec. 202. Bioenergy research and development.

Sec. 203. Bioresearch centers for systems biology program.

Sec. 204. Loan guarantees for renewable fuel facilities.

Sec. 205. Grants for renewable fuel production research and development in certain States.

Sec. 206. Grants for infrastructure for transportation of biomass to local biorefineries.

Sec. 207. Biorefinery information center.

Sec. 208. Conversion assistance for cellulosic biomass, waste-derived ethanol, approved renewable fuels.

Sec. 209. Alternative fuel database and materials.

Sec. 210. Fuel tank cap labeling requirement.

#### TITLE III—STUDIES

Sec. 301. Study of advanced biofuels technologies.

Sec. 302. Study of increased consumption of ethanol-blended gasoline with higher levels of ethanol.

Sec. 303. Pipeline feasibility study.

Sec. 304. Study of optimization of alternative fueled vehicles to use E-85 fuel.

Sec. 305. Study of credits for use of renewable electricity in electric vehicles.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) ADVANCED BIOFUEL.—

(A) IN GENERAL.—The term “advanced biofuel” means fuel derived from renewable biomass other than corn kernels.

(B) INCLUSIONS.—The term “advanced biofuel” includes—

(i) ethanol derived from cellulose, hemicellulose, or lignin;

(ii) ethanol derived from sugar or starch, other than ethanol derived from corn kernels;

(iii) ethanol derived from waste material, including crop residue, other vegetative waste material, animal waste, and municipal solid waste;

(iv) diesel-equivalent fuel derived from renewable biomass, including vegetable oil and animal fat;

(v) biogas produced by the anaerobic digestion or fermentation of organic matter from renewable biomass; and

(vi) butanol produced by the fermentation of renewable biomass.

(2) CELLULOSIC BIOMASS ETHANOL.—The term “cellulosic biomass ethanol” means ethanol derived from any cellulose, hemicellulose, or lignin that is derived from renewable biomass.

(3) CONVENTIONAL BIOFUEL.—The term “conventional biofuel” means ethanol derived from corn kernels.

(4) RENEWABLE BIOMASS.—

(A) IN GENERAL.—The term “renewable biomass” means any organic matter that is available on a renewable or recurring basis.

(B) INCLUSIONS.—The term “renewable biomass” includes—

(i) renewable plant material, including—

(I) feed grains;

(II) other agricultural commodities;

(III) other plants and trees grown for energy production; and

(IV) algae; and

(ii) waste material, including—

(I) crop residue;

(II) other vegetative waste material (including wood waste and wood residues);

(III) animal waste and byproducts (including fats, oils, greases, and manure); and

(IV) municipal solid waste.

(C) EXCLUSIONS.—The term “renewable biomass” does not include old-growth timber of a forest from the late successional stage of forest development.

(5) RENEWABLE FUEL.—

(A) IN GENERAL.—The term “renewable fuel” means motor vehicle fuel, boiler fuel, or home heating fuel that is—

(i) produced from renewable biomass; and

(ii) used to replace or reduce the quantity of fossil fuel present in a fuel mixture used to operate a motor vehicle, boiler, or furnace that would otherwise operate using fossil fuel.

(B) INCLUSION.—The term “renewable fuel” includes—

(i) conventional biofuel; and

(ii) advanced biofuel.

(6) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(7) SMALL REFINERY.—The term “small refinery” means a refinery for which the average aggregate daily crude oil throughput for a calendar year (as determined by dividing the aggregate throughput for the calendar year by the number of days in the calendar year) does not exceed 75,000 barrels.

#### TITLE I—RENEWABLE FUEL STANDARD

##### SEC. 101. RENEWABLE FUEL STANDARD.

(a) RENEWABLE FUEL PROGRAM.—

(1) REGULATIONS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the President shall promulgate regulations to ensure that motor vehicle fuel, home heating oil, and boiler fuel sold or introduced into commerce in the United States (except in noncontiguous States or territories), on an annual average basis, contains the applicable volume of renewable fuel determined in accordance with paragraph (2).

(B) PROVISIONS OF REGULATIONS.—Regardless of the date of promulgation, the regulations promulgated under subparagraph (A)—

(i) shall contain compliance provisions applicable to refineries, blenders, distributors, and importers, as appropriate, to ensure that the requirements of this subsection are met; but

(ii) shall not—

(I) restrict geographic areas in the contiguous United States in which renewable fuel may be used; or

(II) impose any per-gallon obligation for the use of renewable fuel.

(C) RELATIONSHIP TO OTHER REGULATIONS.—Regulations promulgated under this paragraph shall, to the maximum extent practicable, incorporate the program structure, compliance, and reporting requirements established under the final regulations promulgated to implement the renewable fuel program established by the amendment made by section 1501(a)(2) of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 1067).

(2) APPLICABLE VOLUME.—

(A) CALENDAR YEARS 2008 THROUGH 2022.—

(i) RENEWABLE FUEL.—For the purpose of paragraph (1), subject to clause (ii), the applicable volume for any of calendar years 2008 through 2022 shall be determined in accordance with the following table:

#### Applicable volume of renewable fuel

Calendar year:	(in billions of gallons):
2008 .....	8.5
2009 .....	10.5
2010 .....	12.0
2011 .....	12.6

Calendar year:	Applicable volume of renewable fuel (in billions of gallons):
2012 .....	13.2
2013 .....	13.8
2014 .....	14.4
2015 .....	15.0
2016 .....	18.0
2017 .....	21.0
2018 .....	24.0
2019 .....	27.0
2020 .....	30.0
2021 .....	33.0
2022 .....	36.0

(ii) **ADVANCED BIOFUELS.**—For the purpose of paragraph (1), of the volume of renewable fuel required under clause (i), the applicable volume for any of calendar years 2016 through 2022 for advanced biofuels shall be determined in accordance with the following table:

Calendar year:	Applicable volume of advanced biofuels (in billions of gallons):
2016 .....	3.0
2017 .....	6.0
2018 .....	9.0
2019 .....	12.0
2020 .....	15.0
2021 .....	18.0
2022 .....	21.0

(B) **CALENDAR YEAR 2023 AND THEREAFTER.**—Subject to subparagraph (C), for the purposes of paragraph (1), the applicable volume for calendar year 2023 and each calendar year thereafter shall be determined by the President, in coordination with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency, based on a review of the implementation of the program during calendar years 2007 through 2022, including a review of—

- (i) the impact of renewable fuels on the energy security of the United States;
- (ii) the expected annual rate of future production of renewable fuels, including advanced biofuels; and
- (iii) the impact of the use of renewable fuels on other factors, including job creation, the price and supply of agricultural commodities, rural economic development, and the environment.

(C) **MINIMUM APPLICABLE VOLUME.**—Subject to subparagraph (D), for the purpose of paragraph (1), the applicable volume for calendar year 2023 and each calendar year thereafter shall be equal to the product obtained by multiplying—

- (i) the number of gallons of gasoline that the President estimates will be sold or introduced into commerce in the calendar year; and

- (ii) the ratio that—

- (I) 36,000,000,000 gallons of renewable fuel; bears to

- (II) the number of gallons of gasoline sold or introduced into commerce in calendar year 2022.
- (D) **MAXIMUM QUANTITY DERIVED FROM CONVENTIONAL BIOFUEL FEEDSTOCKS.**—For the purpose of paragraph (1), the applicable volume for calendar year 2023 and each calendar year thereafter shall not exceed 15,000,000,000 gallons of conventional biofuel.

(b) **APPLICABLE PERCENTAGES.**—

(1) **PROVISION OF ESTIMATE OF VOLUMES OF GASOLINE SALES.**—Not later than October 31 of each of calendar years 2008 through 2021, the Administrator of the Energy Information Administration shall provide to the President an estimate, with respect to the following calendar year, of the volumes of gasoline projected to be sold or introduced into commerce in the United States.

(2) **DETERMINATION OF APPLICABLE PERCENTAGES.**—

(A) **IN GENERAL.**—Not later than November 30 of each of calendar years 2008 through 2022, based on the estimate provided under paragraph (1), the President shall determine and publish in the Federal Register, with respect to the following calendar year, the renewable fuel obligation that ensures that the requirements of subsection (a) are met.

(B) **REQUIRED ELEMENTS.**—The renewable fuel obligation determined for a calendar year under subparagraph (A) shall—

- (i) be applicable to refineries, blenders, and importers, as appropriate;
- (ii) be expressed in terms of a volume percentage of gasoline sold or introduced into commerce in the United States; and
- (iii) subject to paragraph (3)(A), consist of a single applicable percentage that applies to all categories of persons specified in clause (i).

(3) **ADJUSTMENTS.**—In determining the applicable percentage for a calendar year, the President shall make adjustments—

(A) to prevent the imposition of redundant obligations on any person specified in paragraph (2)(B)(i); and

(B) to account for the use of renewable fuel during the previous calendar year by small refineries that are exempt under subsection (g).

(c) **VOLUME CONVERSION FACTORS FOR RENEWABLE FUELS BASED ON ENERGY CONTENT OR REQUIREMENTS.**—

(1) **IN GENERAL.**—For the purpose of subsection (a), the President shall assign values to specific types of advanced biofuels for the purpose of satisfying the fuel volume requirements of subsection (a)(2) in accordance with this subsection.

(2) **ENERGY CONTENT RELATIVE TO ETHANOL.**—For advanced biofuel, 1 gallon of the advanced biofuel shall be considered to be the equivalent of 1 gallon of renewable fuel multiplied by the ratio that—

(A) the number of British thermal units of energy produced by the combustion of 1 gallon of the advanced biofuel (as measured under conditions determined by the Secretary); bears to

(B) the number of British thermal units of energy produced by the combustion of 1 gallon of pure ethanol (as measured under conditions determined by the Secretary to be comparable to conditions described in subparagraph (A)).

(3) **TRANSITIONAL ENERGY-RELATED CONVERSION FACTORS FOR CELLULOSIC BIOMASS ETHANOL.**—For any of calendar years 2008 through 2015, 1 gallon of cellulosic biomass ethanol shall be considered to be the equivalent of 2.5 gallons of renewable fuel.

(d) **CREDIT PROGRAM.**—

(1) **IN GENERAL.**—The President, in consultation with the Secretary and the Administrator of the Environmental Protection Agency, shall implement a credit program to manage the renewable fuel requirement of this section in a manner consistent with the credit program established by the amendment made by section 1501(a)(2) of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 1067).

(2) **MARKET TRANSPARENCY.**—In carrying out the credit program under this subsection, the President shall facilitate price transparency in markets for the sale and trade of credits, with due regard for the public interest, the integrity of those markets, fair competition, and the protection of consumers and agricultural producers.

(e) **SEASONAL VARIATIONS IN RENEWABLE FUEL USE.**—

(1) **STUDY.**—For each of calendar years 2007 through 2020, the Administrator of the Energy Information Administration shall conduct a study of renewable fuel blending to

determine whether there are excessive seasonal variations in the use of renewable fuel.

(2) **REGULATION OF EXCESSIVE SEASONAL VARIATIONS.**—If, for any calendar year, the Administrator of the Energy Information Administration, based on the study under paragraph (1), makes the determinations specified in paragraph (3), the President shall promulgate regulations to ensure that 25 percent or more of the quantity of renewable fuel necessary to meet the requirements of subsection (a) is used during each of the 2 periods specified in paragraph (4) of each subsequent calendar year.

(3) **DETERMINATIONS.**—The determinations referred to in paragraph (2) are that—

(A) less than 25 percent of the quantity of renewable fuel necessary to meet the requirements of subsection (a) has been used during 1 of the 2 periods specified in paragraph (4) of the calendar year;

(B) a pattern of excessive seasonal variation described in subparagraph (A) will continue in subsequent calendar years; and

(C) promulgating regulations or other requirements to impose a 25 percent or more seasonal use of renewable fuels will not significantly—

(i) increase the price of motor fuels to the consumer; or

(ii) prevent or interfere with the attainment of national ambient air quality standards.

(4) **PERIODS.**—The 2 periods referred to in this subsection are—

(A) April through September; and

(B) January through March and October through December.

(f) **WAIVERS.**—

(1) **IN GENERAL.**—The President, in consultation with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency, may waive the requirements of subsection (a) in whole or in part on petition by one or more States by reducing the national quantity of renewable fuel required under subsection (a), based on a determination by the President (after public notice and opportunity for comment), that—

(A) implementation of the requirement would severely harm the economy or environment of a State, a region, or the United States; or

(B) extreme and unusual circumstances exist that prevent distribution of an adequate supply of domestically-produced renewable fuel to consumers in the United States.

(2) **PETITIONS FOR WAIVERS.**—The President, in consultation with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency, shall approve or disapprove a State petition for a waiver of the requirements of subsection (a) within 90 days after the date on which the petition is received by the President.

(3) **TERMINATION OF WAIVERS.**—A waiver granted under paragraph (1) shall terminate after 1 year, but may be renewed by the President after consultation with the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency.

(g) **SMALL REFINERIES.**—

(1) **TEMPORARY EXEMPTION.**—

(A) **IN GENERAL.**—The requirements of subsection (a) shall not apply to small refineries until calendar year 2013.

(B) **EXTENSION OF EXEMPTION.**—

(i) **STUDY BY SECRETARY.**—Not later than December 31, 2008, the Secretary shall submit to the President and Congress a report

describing the results of a study to determine whether compliance with the requirements of subsection (a) would impose a disproportionate economic hardship on small refineries.

(ii) **EXTENSION OF EXEMPTION.**—In the case of a small refinery that the Secretary determines under clause (i) would be subject to a disproportionate economic hardship if required to comply with subsection (a), the President shall extend the exemption under subparagraph (A) for the small refinery for a period of not less than 2 additional years.

(2) **PETITIONS BASED ON DISPROPORTIONATE ECONOMIC HARDSHIP.**—

(A) **EXTENSION OF EXEMPTION.**—A small refinery may at any time petition the President for an extension of the exemption under paragraph (1) for the reason of disproportionate economic hardship.

(B) **EVALUATION OF PETITIONS.**—In evaluating a petition under subparagraph (A), the President, in consultation with the Secretary, shall consider the findings of the study under paragraph (1)(B) and other economic factors.

(C) **DEADLINE FOR ACTION ON PETITIONS.**—The President shall act on any petition submitted by a small refinery for a hardship exemption not later than 90 days after the date of receipt of the petition.

(3) **OPT-IN FOR SMALL REFINERIES.**—A small refinery shall be subject to the requirements of subsection (a) if the small refinery notifies the President that the small refinery waives the exemption under paragraph (1).

(h) **PENALTIES AND ENFORCEMENT.**—

(1) **CIVIL PENALTIES.**—

(A) **IN GENERAL.**—Any person that violates a regulation promulgated under subsection (a), or that fails to furnish any information required under such a regulation, shall be liable to the United States for a civil penalty of not more than the total of—

(i) \$25,000 for each day of the violation; and  
(ii) the amount of economic benefit or savings received by the person resulting from the violation, as determined by the President.

(B) **COLLECTION.**—Civil penalties under subparagraph (A) shall be assessed by, and collected in a civil action brought by, the Secretary or such other officer of the United States as is designated by the President.

(2) **INJUNCTIVE AUTHORITY.**—

(A) **IN GENERAL.**—The district courts of the United States shall have jurisdiction to—

(i) restrain a violation of a regulation promulgated under subsection (a);  
(ii) award other appropriate relief; and  
(iii) compel the furnishing of information required under the regulation.

(B) **ACTIONS.**—An action to restrain such violations and compel such actions shall be brought by and in the name of the United States.

(C) **SUBPOENAS.**—In the action, a subpoena for a witness who is required to attend a district court in any district may apply in any other district.

(i) **EFFECTIVE DATE.**—Except as otherwise specifically provided in this section, this section takes effect on January 1, 2008.

## **TITLE II—RENEWABLE FUELS INFRASTRUCTURE**

### **SEC. 201. INFRASTRUCTURE PILOT PROGRAM FOR RENEWABLE FUELS.**

(a) **IN GENERAL.**—The Secretary, in consultation with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall establish a competitive grant pilot program (referred to in this section as the “pilot program”), to be administered through the Vehicle Technology Deployment Program of the Department of Energy, to provide not more than 10 geographically-dispersed project grants to

State governments, local governments, metropolitan transportation authorities, or partnerships of those entities to carry out 1 or more projects for the purposes described in subsection (b).

(b) **GRANT PURPOSES.**—A grant under this section shall be used for the establishment of refueling infrastructure corridors, as designated by the Secretary, for gasoline blends that contain at least 85 percent renewable fuel or diesel fuel that contains at least 10 percent renewable fuel, including—

(1) installation of infrastructure and equipment necessary to ensure adequate distribution of renewable fuels within the corridor;

(2) installation of infrastructure and equipment necessary to directly support vehicles powered by renewable fuels; and

(3) operation and maintenance of infrastructure and equipment installed as part of a project funded by the grant.

(c) **APPLICATIONS.**—

(1) **REQUIREMENTS.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), not later than 90 days after the date of enactment of this Act, the Secretary shall issue requirements for use in applying for grants under the pilot program.

(B) **MINIMUM REQUIREMENTS.**—At a minimum, the Secretary shall require that an application for a grant under this section—

(i) be submitted by—

(I) the head of a State or local government or a metropolitan transportation authority, or any combination of those entities; and

(II) a registered participant in the Vehicle Technology Deployment Program of the Department of Energy; and

(ii) include—

(I) a description of the project proposed in the application, including the ways in which the project meets the requirements of this section;

(II) an estimate of the degree of use of the project, including the estimated size of fleet of vehicles operated with renewable fuel available within the geographic region of the corridor;

(III) an estimate of the potential petroleum displaced as a result of the project, and a plan to collect and disseminate petroleum displacement and other relevant data relating to the project to be funded under the grant, over the expected life of the project;

(IV) a description of the means by which the project will be sustainable without Federal assistance after the completion of the term of the grant;

(V) a complete description of the costs of the project, including acquisition, construction, operation, and maintenance costs over the expected life of the project; and

(VI) a description of which costs of the project will be supported by Federal assistance under this subsection.

(2) **PARTNERS.**—An applicant under paragraph (1) may carry out a project under the pilot program in partnership with public and private entities.

(d) **SELECTION CRITERIA.**—In evaluating applications under the pilot program, the Secretary shall—

(1) consider the experience of each applicant with previous, similar projects; and

(2) give priority consideration to applications that—

(A) are most likely to maximize displacement of petroleum consumption;

(B) demonstrate the greatest commitment on the part of the applicant to ensure funding for the proposed project and the greatest likelihood that the project will be maintained or expanded after Federal assistance under this subsection is completed;

(C) represent a partnership of public and private entities; and

(D) exceed the minimum requirements of subsection (c)(1)(B).

(e) **PILOT PROJECT REQUIREMENTS.**—

(1) **MAXIMUM AMOUNT.**—The Secretary shall provide not more than \$20,000,000 in Federal assistance under the pilot program to any applicant.

(2) **COST SHARING.**—The non-Federal share of the cost of any activity relating to renewable fuel infrastructure development carried out using funds from a grant under this section shall be not less than 20 percent.

(3) **MAXIMUM PERIOD OF GRANTS.**—The Secretary shall not provide funds to any applicant under the pilot program for more than 2 years.

(4) **DEPLOYMENT AND DISTRIBUTION.**—The Secretary shall seek, to the maximum extent practicable, to ensure a broad geographic distribution of project sites funded by grants under this section.

(5) **TRANSFER OF INFORMATION AND KNOWLEDGE.**—The Secretary shall establish mechanisms to ensure that the information and knowledge gained by participants in the pilot program are transferred among the pilot program participants and to other interested parties, including other applicants that submitted applications.

(f) **SCHEDULE.**—

(1) **INITIAL GRANTS.**—

(A) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register, Commerce Business Daily, and such other publications as the Secretary considers to be appropriate, a notice and request for applications to carry out projects under the pilot program.

(B) **DEADLINE.**—An application described in subparagraph (A) shall be submitted to the Secretary by not later than 180 days after the date of publication of the notice under that subparagraph.

(C) **INITIAL SELECTION.**—Not later than 90 days after the date by which applications for grants are due under subparagraph (B), the Secretary shall select by competitive, peer-reviewed proposal up to 5 applications for projects to be awarded a grant under the pilot program.

(2) **ADDITIONAL GRANTS.**—

(A) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall publish in the Federal Register, Commerce Business Daily, and such other publications as the Secretary considers to be appropriate, a notice and request for additional applications to carry out projects under the pilot program that incorporate the information and knowledge obtained through the implementation of the first round of projects authorized under the pilot program.

(B) **DEADLINE.**—An application described in subparagraph (A) shall be submitted to the Secretary by not later than 180 days after the date of publication of the notice under that subparagraph.

(C) **INITIAL SELECTION.**—Not later than 90 days after the date by which applications for grants are due under subparagraph (B), the Secretary shall select by competitive, peer-reviewed proposal such additional applications for projects to be awarded a grant under the pilot program as the Secretary determines to be appropriate.

(g) **REPORTS TO CONGRESS.**—

(1) **INITIAL REPORT.**—Not later than 60 days after the date on which grants are awarded under this section, the Secretary shall submit to Congress a report containing—

(A) an identification of the grant recipients and a description of the projects to be funded under the pilot program;

(B) an identification of other applicants that submitted applications for the pilot program but to which funding was not provided; and

(C) a description of the mechanisms used by the Secretary to ensure that the information and knowledge gained by participants in the pilot program are transferred among the pilot program participants and to other interested parties, including other applicants that submitted applications.

(2) **EVALUATION.**—Not later than 2 years after the date of enactment of this Act, and annually thereafter until the termination of the pilot program, the Secretary shall submit to Congress a report containing an evaluation of the effectiveness of the pilot program, including an assessment of the petroleum displacement and benefits to the environment derived from the projects included in the pilot program.

(h) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$200,000,000, to remain available until expended.

#### **SEC. 202. BIOENERGY RESEARCH AND DEVELOPMENT.**

Section 931(c) of the Energy Policy Act of 2005 (42 U.S.C. 16231(c)) is amended—

(1) in paragraph (1), by striking “\$213,000,000” and inserting “\$326,000,000”;

(2) in paragraph (2), by striking “\$251,000,000” and inserting “\$377,000,000”; and

(3) in paragraph (3), by striking “\$274,000,000” and inserting “\$398,000,000”.

#### **SEC. 203. BIORESEARCH CENTERS FOR SYSTEMS BIOLOGY PROGRAM.**

Section 977(a)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16317(a)(1)) is amended by inserting before the period at the end the following: “, including the establishment of at least 7 bioenergy research centers that focus on biofuels, of which at least 1 center shall be located in each of the 4 Petroleum Administration for Defense Districts with no subdistricts and 1 center shall be located in each of the subdistricts of the Petroleum Administration for Defense District with subdistricts”.

#### **SEC. 204. LOAN GUARANTEES FOR RENEWABLE FUEL FACILITIES.**

(a) **IN GENERAL.**—Section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) is amended by adding at the end the following: “(f) **RENEWABLE FUEL FACILITIES.**—

“(1) **IN GENERAL.**—The Secretary may make guarantees under this title for projects that produce advanced biofuel (as defined in section 2 of the Biofuels for Energy Security and Transportation Act of 2007).

“(2) **REQUIREMENTS.**—A project under this subsection shall employ new or significantly improved technologies for the production of renewable fuels as compared to commercial technologies in service in the United States at the time that the guarantee is issued.

“(3) **ISSUANCE OF FIRST LOAN GUARANTEES.**—The requirement of section 20320(b) of division B of the Continuing Appropriations Resolution, 2007 (Public Law 109–289, Public Law 110–5), relating to the issuance of final regulations, shall not apply to the first 6 guarantees issued under this subsection.

“(4) **PROJECT DESIGN.**—A project for which a guarantee is made under this subsection shall have a project design that has been validated through the operation of a continuous process pilot facility with an annual output of at least 50,000 gallons of ethanol.

“(5) **MAXIMUM GUARANTEED PRINCIPAL.**—The total principal amount of a loan guaranteed under this subsection may not exceed \$250,000,000 for a single facility.

“(6) **AMOUNT OF GUARANTEE.**—The Secretary shall guarantee 100 percent of the principal and interest due on 1 or more loans made for a facility that is the subject of the guarantee under paragraph (3).

“(7) **DEADLINE.**—The Secretary shall approve or disapprove an application for a

guarantee under this subsection not later than 90 days after the date of receipt of the application.

“(8) **REPORT.**—Not later than 30 days after approving or disapproving an application under paragraph (7), the Secretary shall submit to Congress a report on the approval or disapproval (including the reasons for the action).”.

#### **(b) IMPROVEMENTS TO UNDERLYING LOAN GUARANTEE AUTHORITY.**—

(1) **DEFINITION OF COMMERCIAL TECHNOLOGY.**—Section 1701(1) of the Energy Policy Act of 2005 (42 U.S.C. 16511(1)) is amended by striking subparagraph (B) and inserting the following:

“(B) **EXCLUSION.**—The term ‘commercial technology’ does not include a technology if the sole use of the technology is in connection with—

“(i) a demonstration plant; or

“(ii) a project for which the Secretary approved a loan guarantee.”.

(2) **SPECIFIC APPROPRIATION OR CONTRIBUTION.**—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended by striking subsection (b) and inserting the following:

“(b) **SPECIFIC APPROPRIATION OR CONTRIBUTION.**—

“(1) **IN GENERAL.**—No guarantee shall be made unless—

“(A) an appropriation for the cost has been made; or

“(B) the Secretary has received from the borrower a payment in full for the cost of the obligation and deposited the payment into the Treasury.

“(2) **LIMITATION.**—The source of payments received from a borrower under paragraph (1)(B) shall not be a loan or other debt obligation that is made or guaranteed by the Federal Government.

“(3) **RELATION TO OTHER LAWS.**—Section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) shall not apply to a loan or loan guarantee made in accordance with paragraph (1)(B).”.

(3) **AMOUNT.**—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended by striking subsection (c) and inserting the following:

“(c) **AMOUNT.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary shall guarantee up to 100 percent of the principal and interest due on 1 or more loans for a facility that are the subject of the guarantee.

“(2) **LIMITATION.**—The total amount of loans guaranteed for a facility by the Secretary shall not exceed 80 percent of the total cost of the facility, as estimated at the time at which the guarantee is issued.”.

(4) **SUBROGATION.**—Section 1702(g)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16512(g)(2)) is amended—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraph (C) as subparagraph (B).

#### **SEC. 205. GRANTS FOR RENEWABLE FUEL PRODUCTION RESEARCH AND DEVELOPMENT IN CERTAIN STATES.**

(a) **IN GENERAL.**—The Secretary shall provide grants to eligible entities to conduct research into, and develop and implement, renewable fuel production technologies in States with low rates of ethanol production, including low rates of production of cellulosic biomass ethanol.

(b) **ELIGIBILITY.**—To be eligible to receive a grant under the section, an entity shall—

(1)(A) be an institution of higher education (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)) located in a State described in subsection (a); or

(B) be a consortium of such institutions of higher education, industry, State agencies,

or local government agencies located in the State; and

(2) have proven experience and capabilities with relevant technologies.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2008 through 2010.

#### **SEC. 206. GRANTS FOR INFRASTRUCTURE FOR TRANSPORTATION OF BIOMASS TO LOCAL BIOREFINERIES.**

(a) **IN GENERAL.**—The Secretary shall conduct a program under which the Secretary shall provide grants to local governments and other eligible entities (as determined by the Secretary) (referred to in this section as “eligible entities”) to promote the development of infrastructure to support the transportation of biomass to local biorefineries, including by portable processing equipment.

(b) **PHASES.**—The Secretary shall conduct the program in the following phases:

(1) **DEVELOPMENT.**—In the first phase of the program, the Secretary shall make grants to eligible entities to assist the eligible entities in the development of local projects to promote the development of infrastructure to support the transportation of biomass to local biorefineries, including by portable processing equipment.

(2) **IMPLEMENTATION.**—In the second phase of the program, the Secretary shall make competitive grants to eligible entities to implement projects developed under paragraph (1).

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section.

#### **SEC. 207. BIOREFINERY INFORMATION CENTER.**

(a) **IN GENERAL.**—The Secretary, in cooperation with the Secretary of Agriculture, shall establish a biorefinery information center to make available to interested parties information on—

(1) renewable fuel resources, including information on programs and incentives for renewable fuels;

(2) renewable fuel producers;

(3) renewable fuel users; and

(4) potential renewable fuel users.

(b) **ADMINISTRATION.**—In administering the biorefinery information center, the Secretary shall—

(1) continually update information provided by the center;

(2) make information available to interested parties on the process for establishing a biorefinery; and

(3) make information and assistance provided by the center available through a toll-free telephone number and website.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section.

#### **SEC. 208. CONVERSION ASSISTANCE FOR CELLULOSIC BIOMASS, WASTE-DERIVED ETHANOL, APPROVED RENEWABLE FUELS.**

(a) **DEFINITIONS.**—In this section:

(1) **APPROVED RENEWABLE FUEL.**—The term “approved renewable fuels” means an alternative or replacement fuel that—

(A) has been approved under title III of the Energy Policy Act of 1992 (42 U.S.C. 13211 et seq.); and

(B) is made from renewable biomass.

(2) **PRODUCER.**—The term “producer” means—

(A) a merchant producer;

(B) a farm or dairy cooperative; or

(C) an association of agricultural producers.

(3) **WASTE-DERIVED ETHANOL.**—The term “waste-derived ethanol” means ethanol derived from—



(A) animal waste (including poultry fat and poultry waste) and other waste material; or

(B) municipal solid waste.

(b) **CONVERSION ASSISTANCE.**—The Secretary may provide grants to producers of cellulosic biomass ethanol, waste-derived ethanol, and approved renewable fuels in the United States to assist the producers in building eligible production facilities described in subsection (c) for the production of ethanol or approved renewable fuels.

(c) **ELIGIBLE PRODUCTION FACILITIES.**—A production facility shall be eligible to receive a grant under this section if the production facility—

- (1) is located in the United States; and
- (2) uses renewable biomass.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

- (1) \$400,000,000 for fiscal year 2008;
- (2) \$500,000,000 for fiscal year 2009; and
- (3) \$600,000,000 for fiscal year 2010.

#### **SEC. 209. ALTERNATIVE FUEL DATABASE AND MATERIALS.**

The Secretary and the Director of the National Institute of Standards and Technology shall jointly establish and make available to the public—

(1) a database that describes the physical properties of different types of alternative fuel; and

(2) standard reference materials for different types of alternative fuel.

#### **SEC. 210. FUEL TANK CAP LABELING REQUIREMENT.**

Section 406(a) of the Energy Policy Act of 1992 (42 U.S.C. 13232(a)) is amended—

(1) by striking “The Federal Trade Commission” and inserting the following:

“(1) **IN GENERAL.**—The Federal Trade Commission”; and

(2) by adding at the end the following:

“(2) **FUEL TANK CAP LABELING REQUIREMENT.**—Beginning with model year 2010, the fuel tank cap of each alternative fueled vehicle manufactured for sale in the United States shall be clearly labeled to inform consumers that such vehicle can operate on alternative fuel.”.

### **TITLE III—STUDIES**

#### **SEC. 301. STUDY OF ADVANCED BIOFUELS TECHNOLOGIES.**

(a) **IN GENERAL.**—Not later than October 1, 2012, the Secretary shall offer to enter into a contract with the National Academy of Sciences under which the Academy shall conduct a study of technologies relating to the production, transportation, and distribution of advanced biofuels.

(b) **SCOPE.**—In conducting the study, the Academy shall—

- (1) include an assessment of the maturity of advanced biofuels technologies;
- (2) consider whether the rate of development of those technologies will be sufficient to meet the advanced biofuel standards required under section 101;
- (3) consider the effectiveness of the research and development programs and activities of the Department of Energy relating to advanced biofuel technologies; and
- (4) make policy recommendations to accelerate the development of those technologies to commercial viability, as appropriate.

(c) **REPORT.**—Not later than November 30, 2014, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing the results of the study conducted under this section.

#### **SEC. 302. STUDY OF INCREASED CONSUMPTION OF ETHANOL-BLENDED GASOLINE WITH HIGHER LEVELS OF ETHANOL.**

(a) **IN GENERAL.**—The Secretary (in cooperation with the Secretary of Agriculture,

the Administrator of the Environmental Protection Agency, and the Secretary of Transportation) shall conduct a study of the feasibility of increasing consumption in the United States of ethanol-blended gasoline with levels of ethanol that are not less than 10 percent and not more than 25 percent, including a study of production and infrastructure constraints on increasing the consumption.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study conducted under this section.

#### **SEC. 303. PIPELINE FEASIBILITY STUDY.**

(a) **IN GENERAL.**—The Secretary, in coordination with the Secretary of Agriculture and the Secretary of Transportation, shall conduct a study of the feasibility of the construction of dedicated ethanol pipelines.

(b) **FACTORS.**—In conducting the study, the Secretary shall consider—

(1) the quantity of ethanol production that would make dedicated pipelines economically viable;

(2) existing or potential barriers to dedicated ethanol pipelines, including technical, siting, financing, and regulatory barriers;

(3) market risk (including throughput risk) and means of mitigating the risk;

(4) regulatory, financing, and siting options that would mitigate risk in those areas and help ensure the construction of 1 or more dedicated ethanol pipelines;

(5) financial incentives that may be necessary for the construction of dedicated ethanol pipelines, including the return on equity that sponsors of the initial dedicated ethanol pipelines will require to invest in the pipelines;

(6) technical factors that may compromise the safe transportation of ethanol in pipelines, identifying remedial and preventative measures to ensure pipeline integrity; and

(7) such other factors as the Secretary considers appropriate.

(c) **REPORT.**—Not later than 15 months after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study conducted under this section.

#### **SEC. 304. STUDY OF OPTIMIZATION OF ALTERNATIVE FUELED VEHICLES TO USE E-85 FUEL.**

(a) **IN GENERAL.**—The Secretary shall conduct a study of methods of increasing the fuel efficiency of alternative fueled vehicles by optimizing alternative fueled vehicles to operate using E-85 fuel.

(b) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the results of the study, including any recommendations of the Secretary.

#### **SEC. 305. STUDY OF CREDITS FOR USE OF RENEWABLE ELECTRICITY IN ELECTRIC VEHICLES.**

(a) **DEFINITION OF ELECTRIC VEHICLE.**—In this section, the term “electric vehicle” means an electric motor vehicle (as defined in section 601 of the Energy Policy Act of 1992 (42 U.S.C. 13271)) for which the rechargeable storage battery—

(1) receives a charge directly from a source of electric current that is external to the vehicle; and

(2) provides a minimum of 80 percent of the motive power of the vehicle.

(b) **STUDY.**—The Secretary shall conduct a study on the feasibility of issuing credits under the program established under section 101(d) to electric vehicles powered by electricity produced from renewable energy sources.

(c) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes the results of the study, including a description of—

(1) existing programs and studies on the use of renewable electricity as a means of powering electric vehicles; and

(2) alternatives for—

(A) designing a pilot program to determine the feasibility of using renewable electricity to power electric vehicles as an adjunct to a renewable fuels mandate;

(B) allowing the use, under the pilot program designed under subparagraph (A), of electricity generated from nuclear energy as an additional source of supply;

(C) identifying the source of electricity used to power electric vehicles; and

(D) equating specific quantities of electricity to quantities of renewable fuel under section 101(d).

BY Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 990. A bill to fight criminal gangs; to the Committee on the Judiciary.

Mr. MENENDEZ. Mr. President, today, all across America, organized criminal gangs plague our communities, destroying the lives of thousands of young children and adults each and every year. Unfortunately, this plague is currently not being treated effectively, and as a result has grown in size and power in almost every State in the Nation. In order to effectively counter this growing threat, we cannot continue to believe it is only a State and local issue that predominantly occurs in highly urbanized areas. Instead, we must recognize that it has escalated into a national issue—reaching small rural towns, suburban areas, and big cities alike—and affecting our country as a whole.

In light of this, it is clear that we must recalibrate our efforts and—in addition to our local initiatives—comprehensively confront gang violence at the national level. That is why I rise today, along with my colleague, Senator LAUTENBERG, to introduce the Fighting Gangs and Empowering Youth Act of 2007.

Combining the efforts of Federal, State, and local agencies, this legislation would utilize a multi-pronged approach in order to comprehensively deal with all aspects of gang violence. From rigorously enforcing and appropriately sentencing criminal acts, to exposing and eliminating the root causes of gang pervasiveness, this bill would simultaneously deter gang violence while proactively targeting the sources that have led to its expanding prevalence.

Like most of the problems we face as a society, gang violence can most effectively be handled by addressing its root causes. In order to grow in size and power, gangs need a large, self-replenishing pool of recruits to draw upon. They prey on areas that suffer from high dropout rates, crippling poverty, and rampant unemployment—areas where hope is often in short supply. All

too often children who live in these areas are caught in a tragic web of gang violence simply because they can envision no other alternative.

It is in these circumstances, where a 15-year-old child sees life in a gang as not just their best option, but often their only option—that gang membership thrives. It is in these circumstances, where children do not anticipate living to celebrate their 30th birthday—that gangs flourish. Not only does this environment destroy the life of the individual recruited—it also serves to strengthen the gang, further reinforcing a vicious cycle.

Thus, any effort undertaken to combat gang violence must address the environment that transforms promising, young adolescents into ruthless tools of a criminal enterprise. While we will probably never be able to completely eliminate all acts of violence from our society, there is much we can do to instill in our children the skills they need to pursue a law abiding life. To this end, my legislation would authorize funds for afterschool and community-based programs designed to economically empower young people. Disadvantaged students will be given the opportunity to realize their potential, through tutoring, mentoring, and job training programs as well as college preparation classes and tuition assistance. Additionally, millions of dollars would be authorized to enhance and expand anti-gang and anti-violence programs in elementary and secondary schools, ensuring that students can focus solely on learning, without having to be concerned for their personal safety. By providing “at-risk” youth with the resources and opportunities necessary to succeed in life, they will be far less susceptible to the pressures to join a criminal gang.

This bill would also attack one of the roots of gang violence—gang recruiters, who seek out young, economically disadvantaged, at-risk youth and pressure them to join. Currently, there is no Federal law specifically forbidding gang recruitment. This legislation would change that—making it illegal for a gang member to solicit or recruit others into a gang—and would incarcerate an offender for up to 10 years if the person being recruited was 18 or older, or up to 20 years if the individual was under the age of 18. This provision would effectively target the kingpins of gangs, who cowardly order younger members to do their violent bidding, callously sacrificing their lives like pawns on a chessboard.

For those who have made wrong choices in life, but are still capable of rehabilitation, this bill would expand adult and juvenile offender reentry demonstration projects to help with post-release and transitional housing, while promoting programs that hire former prisoners, and establish reentry planning procedures within communities. To be eligible for early release, prisoners with drug addictions would be required to participate in treatment

programs both while they are imprisoned as well as during their transition period back into society. All offenders would be encouraged to participate in educational initiatives such as job training, GED preparation, and a myriad of other programs designed to provide offenders with the skills necessary to become legally employed when they are released from prison. By providing such individuals with an alternative choice to a life of crime, lives can be transformed and recidivism rates amongst ex-convicts will be reduced.

In addition to programs focused on gang violence prevention, we must provide law enforcement officials at every level of government with all of the tools and resources necessary for them to safely and effectively protect and serve their communities. All too often these heroic officers are caught in the crossfire of gang violence, and all too often they make the ultimate sacrifice so that others may live.

One tragic example involves the late Detective Kiernan Shields from East Orange, New Jersey. Detective Shields was a rising star in the East Orange Police Department, living his lifelong dream of serving his community as an officer of the peace. He was a devoted, loving husband and proud father of three children, who was remembered by his peers and colleagues not just as a multi-talented person with a great sense of humor, but as the epitome of a role model in an area that desperately needed one. Unfortunately, New Jersey lost one of its bravest and finest sons on the evening of August 7, 2006, when Detective Shields was ruthlessly shot-gunned to death by a reputed member of the Bloods gang, as he valiantly ran toward the sound of echoing gunfire—Ran toward the gunfire.

This single act of heroism is consistent with the way police officers across this Nation live their daily lives. These are the people who are fighting day in and day out to keep our communities safe. The best way to honor the victims of gang violence and those who are still fighting it is to fully commit ourselves to eradicating this cancer.

To assist our frontline warriors in their daily struggle against gang violence, my proposal would provide law enforcement officials on every level of government with the resources and information they need to accurately track and effectively neutralize criminal gangs. Specifically, this legislation would establish a program similar to the current Community Oriented Policing Services (COPS) program to augment the number of police officers combating gangs in our local communities, and would authorize \$700 million annually for it. Additional funds would be used to provide more forensic examiners to investigate, and more attorneys to prosecute, gang crimes. These measures would show that we pay homage not just with our words, but more importantly, with our actions, as we recognize the heroic deeds performed

by law enforcement officials every single day.

As is true with almost all problems, a better understanding of how gangs operate translates into a better understanding of how best to counter them. That is why this bill would authorize additional funding for the National Youth Gang Survey to increase the number of law enforcement agencies whose data is collected and included in the annual survey and provide money to upgrade technology to better identify gang members and include them in the National Gang Database. Additionally, this legislation would expand the Uniform Crime Reports (UCRs) to include local gang and other crime statistics from the municipal level, while also requiring the Attorney General to distinguish those crimes committed by juveniles. The bill also requires consolidation and standardization of criminal databases, enabling law enforcement all across the country to better share information.

For those who still choose a life of crime, this proposal would increase the penalties for crimes committed in the furtherance of a gang. Gangs are dependent on committing crimes such as witness intimidation, illegal firearm possession, and drug trafficking—implementing these violent instruments to augment their power. Subsequently, when these crimes are committed in the furtherance of gang activity, they can be more detrimental to society than if they were committed in isolation. Thus, these tougher sentencing requirements for crimes committed in the furtherance of a gang are not only appropriate, but necessary to deter gang violence and shield society from its most dangerous and unremorseful criminals.

Taken together, the provisions of this bill develop a comprehensive approach to gang violence by focusing on prevention, deterrence, and enforcement. Failure to address all of these gang violence catalysts in their entirety would leave us with an incomplete approach that would do little to quell the scourge of gang violence. Therefore, I urge my colleagues to support the Fighting Gangs and Empowering Youth Act, and by doing so, give law enforcement and our communities the means to thoroughly and comprehensively counter the growing specter of gang violence that afflicts our great Nation.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 123—REFORMING THE CONGRESSIONAL EARMARK PROCESS

Mr. DEMINT submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 123

*Resolved,*

#### SECTION 1. CONGRESSIONAL EARMARK REFORM.

The Standing Rules of the Senate are amended by adding at the end the following: